

JENNER & BLOCK LLP  
STEVEN B. FABRIZIO (admitted *pro hac vice*)  
601 Thirteenth Street, N.W.  
Suite 1200 South  
Washington, D.C. 20005  
Telephone: (202) 639-6000  
Facsimile: (202) 661-4823  
E-Mail: sfabrizio@jenner.com

GIANNI P. SERVODIDIO (admitted *pro hac vice*)  
919 Third Avenue  
37th Floor  
New York, NY 10022  
Telephone: (212) 891-1600  
Facsimile: (212) 891-1699  
E-Mail: gservodidio@jenner.com

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

COLUMBIA PICTURES INDUSTRIES,  
INC., et al.,

Plaintiffs,

v.

GARY FUNG, et al.,

Defendants.

**Case No. CV 06-5578-SVW (JCx)**

**STIPULATION RE BRIEFING AND  
HEARING SCHEDULE FOR  
PLAINTIFFS' MOTIONS FOR  
SUMMARY JUDGMENT (DKT.  
NOS. 561-566)**

WHEREAS, Plaintiffs filed a Motion for Summary Judgment on Willful and Innocent Infringement Under 17 U.S.C. § 504(C)(2) on August 23, 2013 (Dkt. Nos. 561-563), and a Motion for Summary Judgment on Affirmative Defenses of Fair Use and Failure to Mitigate on August 26, 2013 (Dkt. Nos. 564-566) (collectively,

1 the "Motions"), which were noticed to be heard on by the Court on September 23,  
2 2013;

3 WHEREAS, because Monday September 2, 2013, is Labor Day and thus a  
4 Court holiday, under the Local Rules, Defendants would be required to respond to  
5 one of the Motions on Friday, August 30, 2013, *i.e.*, less than a full-week from the  
6 date the Motion was filed and served;

7 WHEREAS, for one of the Motions, Defendants have asserted that there was  
8 an insufficient conference of counsel under Local Rule 7-3, an assertion which  
9 Plaintiffs dispute; and

10 WHEREAS, the parties wish to provide for a briefing and hearing schedule  
11 that allows the Motions to be heard as quickly as reasonably possible, while  
12 providing Defendants with additional time for briefing and resolving any issue  
13 regarding Local Rule 7-3;

14 NOW, THEREFORE, subject to the Court's approval, the parties hereby  
15 STIPULATE and AGREE that:

16 1. Defendants shall have until Friday, **September 6, 2013**, to respond to  
17 the Motions and Plaintiffs shall have until Monday, **September 16, 2013** to reply.

18 2. The Motions shall be heard by the Court on Monday, **September 30,**  
19 **2013**, at 1:30pm, or as soon thereafter as the Court so orders.

20 3. Defendants shall not assert or argue non-compliance with Local Rule 7-  
21 3 as to either of the Motions. Defendants do not waive any other arguments.

22 4. Defendants shall not assert or argue that the one-week adjournment of  
23 the proposed hearing date, from September 23 to September 30, 2013, is a basis for  
24 an adjournment of the November 5, 2013 trial date.

25 Dated: August 27, 2013

26  
27 By: /s/ Steven B. Fabrizio  
28 Steven B. Fabrizio

By: /s/ Jennifer A. Golinveaux  
Jennifer A. Golinveaux

1 STEVEN B. FABRIZIO  
2 GIANNI P. SERVODIDIO  
3 JENNER & BLOCK LLP  
4 1099 New York Avenue, N.W.  
5 Suite 900  
6 Washington, D.C. 20001

7 KAREN R. THORLAND  
8 FARNAZ M. ALEMI  
9 MOTION PICTURE ASSOCIATION  
10 OF AMERICA  
11 15301 Ventura Boulevard  
12 Building E  
13 Sherman Oaks, CA 91403  
14 *Attorneys for Plaintiffs*

MICHAEL S. ELKIN  
THOMAS PATRICK LANE  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, NY 10166

JENNIFER GOLINVEAUX  
WINSTON & STRAWN LLP  
101 California Street  
San Francisco, CA 94111

IRA P. ROTHKEN  
JARED R. SMITH  
ROTHKEN LAW FIRM  
3 Hamilton Landing, Suite 280  
Novato, CA 94949  
*Attorneys for Defendants*

14 I, Steven B. Fabrizio, attest that all other signatories listed, and on whose behalf the  
15 filing is submitted, concur in the filing's content and have authorized the filing.

16 /s/ Steven B. Fabrizio  
17 Steven B. Fabrizio  
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